

ARTICLE 27

SITE DEVELOPMENT PLAN

Purposes and Intent. The purpose of this Article is to set out procedures and requirements for site plans and improvements to assure compliance with the Zoning Ordinance and all other applicable ordinances and statutes, to encourage innovative and creative design and facilitate use of the most advantageous techniques in the development of land within the Town of Warrenton, and to ensure the efficient use of the land to promote high standards in the layout design, landscaping, and construction of development. (Adopted by Town Council 5-10-94)

27-1 Development or Land Use Requiring a Site Development Plan

A. Requirement

A site development plan is required and shall be submitted for the following:

1. Any parking lot containing more than five (5) spaces, any commercial parking lot, or any development in which automobile parking space is to be used by more than one (1) establishment.
2. Any change from one category of use to a different category of use, any special use permit use, or any development in all Zoning Districts except single-family detached dwelling units. However a site plan in sufficient detail to determine compliance with the applicable standards and specifications of the Town of Warrenton may be required for the construction of single-family detached dwellings if more than two (2) dwelling units are proposed to be constructed or where any of the following conditions exist:
 - Where natural and storm water courses are located on the proposed site or where a proposed driveway or entrance intersects existing natural or storm water courses.
 - Where a cluster alternate design is proposed.
 - When a change is proposed in a previously approved site development plan.
 - When an existing residential use is proposed for change to a commercial, industrial, or multifamily residential use.

3. All public and/or semi-public buildings and other uses involving a structure required to be reviewed by the Planning Commission under Section 15.1-456 of the Code of Virginia as amended.

B. Exceptions

No formal site plan shall be required for any special exception use conducted on a temporary basis, not to exceed two (2) years duration, as approved by the Board of Zoning Appeals pursuant to Section 29-5 of the Zoning Ordinance.

C. Waivers

The Planning Director may waive the site plan approval requirement when all of the following determinations are made:

1. No improvement would be required for the proposed use which might involve surety bonding under this ordinance.
2. Applicant agrees in writing to make other improvements required under the Ordinance.
3. The proposal will not involve an increase in the intensity over the existing use with respect to entrances, travelways, parking or impact on neighboring lands.
4. The proposal will result in not more than a twenty-five percent (25%) increase in either the gross floor area of the structure housing the use or in the outdoor area used.
5. The requirement of a final site plan would not forward the purposes of this ordinance or otherwise serve the public interest.

27-2 Presubmission Meeting Required

A presubmission conference with the Planning Director and Town staff is required prior to sub-mission of a site development plan. The intent of the conference is to

clarify the requirements of this Ordinance, and other ordinances of the Town that may be applicable, in order that the site development plan can be prepared in an efficient manner, and to facilitate plan review by Town staff.

27-3 Site Development Plan - Information Required

A. Every site development plan, as hereafter provided shall contain the following information:

1. A boundary survey of the tract or site plan limit with an error of closure within the nearest second related to the true meridian, and showing the location and type of boundary evidence except where a tract or site is a part of a subdivision of record.
2. All horizontal dimensions shown on the site development plan shall be in feet and decimals of a foot to the closest one hundredth of a foot; and all bearings in degrees, minutes and seconds to the nearest second.
3. A certificate signed by the engineer or surveyor setting forth the source and title of the owner of the tract and the place of record of the last instrument in the chain of title.
4. The name, phone number, and mailing address of the owner, or their authorized agent, of the subject parcel to whom which all correspondence regarding review of the site plan will be addressed.

B. Site development plans shall also contain the following information as determined appropriate by the Planning Director:

1. Existing and proposed streets and easements, their names, numbers, and widths; existing and proposed property lines; existing and proposed utilities of all types; water courses and their names; flood plain limits; owners, zoning, and present use of adjoining tracts; and the present zoning of the subject parcel.
2. Location, type, and size of ingress and egress to the site, including the projected number of vehicle trips per day generated by the proposed development.

3. Location, type, size, and height of all fencing, screening and retaining walls where required under the provisions of applicable ordinances.
4. All off-street parking and parking bays, loading spaces, and walkways indicating type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces provided and the number required in accordance with the Zoning Ordinance of the Town of Warrenton.
5. Number of floors, floor area, height, and location of each building, including building setback lines, and proposed general use for each building – if a multifamily residential building, townhouse, or patio house, the number, size, and type of dwelling units shall be known.
6. Front elevations shall be shown on all commercial, industrial, and multifamily developments, regardless of height.
7. Existing and proposed water and sanitary sewer facilities indicating all pipe sizes, types, and grades and where connection is to be made to an existing or a proposed central water and sewer system.
8. Provisions for the adequate disposition of natural and storm water in accordance with the Town of Warrenton Public Facilities Manual and the standards of the Virginia Department of Transportation, indicating location, sizes, types, and grades of ditches, catch basins, and pipes, and connection to the existing drainage system.
9. Provisions and schedules for the adequate control of erosion and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction, in accordance with the Virginia Erosion and Sediment Control Handbook and the State law.
10. Existing topography accurately shown with a maximum of two (2) foot contour intervals at a scale of not less than fifty (50) feet to the inch. The requirement for a contour map may be waived where existing grades are less than three (3) percent and spot elevations are provided.
11. Proposed finished grading by contour supplemented where necessary by spot elevations.

12. A landscape design plan based upon accepted professional design layouts and principles as required by Article 26 shall be submitted.
13. The proposed location of all outside trash receptacles and dumpsters and proposed methods of screening. Refuse containers or refuse storage areas shall be located in a paved area and hidden from general public view, either from within or outside the lot, by means of fences, walls, or landscape planting.
14. The location and method of lighting for parking lots, pedestrian walkways, public spaces, and common areas designed or intended for use during evening hours.
15. The location of all trees on the site with a caliper of six (6) inches or greater should be indicated. Wooded areas shall be designated by symbols that indicate the perimeter of the area covered by the canopy of the trees. Trees to be removed shall be indicated. Trees and/or wooded areas to be retained, and methods to be used to assure adequate protection for trees adjacent to disturbed areas, shall be indicated. Such methods shall conform to Section 3, Subsection 1.85, Tree Preservation and Protection of the Virginia Erosion and Sediment Control Handbook.

27-4 Site Development Plan - Preparation Procedure and Specific Items to be Shown

- A. Site development plans, or any portion thereof, involving engineering, architecture, city planning, urban design, landscape architecture, or land surveying, will be prepared by persons qualified to do such work. Final site plans shall be certified by an architect or by an engineer or by a land surveyor within the limits of their respective licenses authorized to practice by the State of Virginia.
- B. The Planning Director may waive the requirement for the certification of the site development plan or portions thereof by these professionals in those cases where no action proposed by the developer falls within their professional purview; however, the person(s) principally responsible for the preparation of the site development plan shall sign said drawings, regardless of professional registration status.

- C. The site plan shall show the name and address of the owner or applicant, city or town, county, state, north point, date, and scale of drawing and number of sheets. In addition it shall reserve a blank space four (4) inches by four (4) inches in size on the plan face for the use of the approving authority.
- D. Site development plans shall be prepared to the scale of one (1) inch equals fifty (50) feet or larger; sheets shall measure eighteen by twenty-four inches (18" X 24") at a minimum and no larger than thirty-six by twenty-four inches (36" X 24").
- E. The site development plan may be prepared on one (1) or more sheets. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join. All information required under Section 27-3 need not be included on the basic plan but may be submitted on additional sheets which may be of varying sizes.
- F. A minimum of six (6) clearly legible blue or black line copies of a site development plan shall be submitted to the Planning Director for the Town of Warrenton.
- G. Profiles shall be submitted for all sanitary and storm sewers, streets and curbs adjacent thereto, and other utilities, and shall be submitted on standard federal aid plan and profile sheets. Special studies as required may be submitted on standard cross section paper and shall have a scale of one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically. No sheet width shall exceed thirty-six by twenty-four inches (36" X 24"). Flood plain limit studies required shall be shown on profile sheets with reference to properties affected and center line of stream.
- H. A minimum of two (2) datum references for elevations used on plans and profiles and correlate, where practical, to U. S. Geological Survey datum. At least one (1) datum reference shall be on-site.
- I. Submitted plans shall include a completed application checklist and payment of review fees.

27-5 Minimum Standards and Improvements Required

- A. All improvements required by this Article shall be installed at the cost of the owner or applicant. Where cost sharing or reimbursement agreements between the Town of Warrenton and the owner or applicant are appropriate, the same shall be entered into by formal agreement prior to final site development plan approval, and shall be subject to the Virginia Department of Transportation review and acceptance where appropriate. Where specifications have been established by the Town of Warrenton, or by the Virginia Department of Transportation for streets and related facilities, or by this Ordinance for other facilities and utilities, such specifications shall be followed. The owner or applicant's performance bond shall not be released until construction has been inspected and accepted by the authorized engineer or Planning Director for the Town and by the Virginia Department of Transportation where appropriate.
- B. All streets and highway construction standards and geometric design standards shall be in accordance with the Town of Warrenton Public Facilities Manual and the Subdivision Ordinance of Warrenton, Virginia, unless such geometric design standards are specifically modified by the governing body upon recommendation of the Planning Director. The governing body may modify street geometric design standards for local, collector, and minor loop streets. Half-streets along the boundary of land proposed for development or subdivision shall not be permitted. All new streets must be platted and constructed to meet the full width required by this Article and such construction is the sole responsibility of the applicant or subdivider. Construction of private streets is not permitted unless permission is granted by Town Council.
- C. Adequate easements shall be provided for drainage and all utilities. Minimum easement width shall be fifteen (15) feet. If two (2) utilities are located within one (1) easement area, the minimum easement width shall be twenty (20) feet. If more than two (2) utilities are located within an easement area, the easement width shall be established by the Warrenton Utilities Director.
- D. Adequate drainage for the disposition of storm and nature waters both on-site and off-site shall be provided. The extent and nature of both on-site and off-site treatment is to be in accordance with the Town of Warrenton Public Facilities Manual and the standards of the Virginia Department of Transportation.

- E. Provisions shall be made for all necessary temporary and permanent erosion and sedimentation control measures, both on-site and off-site. The extent of the control measures, both on-site and off-site, are to be in accordance with the Virginia Erosion and Sediment Control Handbook adopted by the Town (see Article 5). Slopes of twenty-five (25) percent or greater may be unsuitable for development and will require a Special Use Permit, in accordance with Section 2-15, for grading or development. Urban Best Management Practices shall be used to reduce storm water volumes and transport of sediment off-site.
- F. Adequate provision shall be made by the owner or applicant to construct all utilities, required to service the development, both on-site and off-site. Design requirements shall follow the provisions of the Town of Warrenton Public Facilities Manual.
- G. Percolation tests and/or other methods of soil evaluation deemed necessary by the Administrator for the Town shall be the responsibility of the owner or applicant.
- H. When central water and/or sewer systems having sufficient capacity either exist or are proposed within a reasonable distance of the area of the site development plan, provisions shall be made to connect to the system as provided in the Code of the Town of Warrenton.
- I. Landscape planting, screening, fences, walks, curbs, gutters, and other physical improvements as required by this Ordinance or other ordinances of the Town of Warrenton, Virginia, and the regulations of the Virginia Department of Transportation shall be provided by the owner or applicant.
- J. Sidewalks and curb and gutter shall be provided along both sides of all public streets, private streets, and public access areas; however, these requirements may be waived in sites with a density of less than four (4) dwelling units per acre. A written request for such waiver is required for Town Council consideration and action.
- K. Lighting will be provided by the developer along all newly constructed public roads, private roads, within parking lots, along pedestrian walkways, and within public common areas, designed to ensure the safe and convenient movement of vehicles and pedestrians during evening and nighttime hours.

- L. A Tree Protection Plan that indicates the location of trunks and driplines for trees or wooded areas that are to be retained. In the case of wooded areas, the trunks and driplines of perimeter trees shall be sufficient indication of location. Methods of protection shall be clearly indicated, including details of all retaining walls, tree guards, tree wells, indications that grading changes will not alter surface water movement to or from trees to be retained, and methods to mark trees and wooded areas to be preserved during grading and construction activities.
- M. One (1) set of approved plans, profiles, and specifications shall be at the job site at all times when work is being performed.

27-6 Administration and Procedures for Processing Site Development Plans

- A. The Planning Director shall be responsible for the receipt, review, processing, and approval of site development plans.
- B. The Planning Director may request opinions and/or decisions, from other departments, divisions, agencies, or authorities of the Town and County government; from officials, departments, or agencies of the Commonwealth of Virginia; or from other qualified persons as may from time to time be retained.
- C. The Planning Director, subject to the approval of the Town Council, may from time to time establish reasonable procedures for the administration of this Article.
- D. Site development plans, including any modifications which conform to the standards and requirements in this Article shall be approved by the Planning Director.
- E. Approval, modifications and approval, or disapproval of a site development plan by the Planning Director shall occur within sixty (60) days of filing of all required documents, unless abnormal and unusual circumstances exist, in which case the procedural time may be extended. Required revisions or reasons for disapproval will be provided in writing and addressed to the owner, or their designated agent, as identified on the site plan documents. Approval, modifications and approval, or disapproval of a revised site development plan shall occur within sixty (60)days of filing.

- F. Any person aggrieved of any decision of the Planning Director pursuant to this Article may, within thirty (30) days of such decision, appeal, in writing to the Town Council. Appeals shall be in writing and shall be filed in the Office of the Town Manager.
- G. Approval, modification and approval, or disapproval of a site development plan by the Town Council shall occur within thirty (30) days of filing of the required appeal documents, unless abnormal and unusual circumstances exist in which case the procedural time may be extended.
- H. No public easement, right-of-way, or public dedication shown on any site development plan shall be accepted for dedication for public use until such proposed dedication shall first be approved by the Town Council and evidence of such approval is shown on the instrument to be recorded.
- I. Approval of a site development plan pursuant to this Article shall expire twelve (12) months after the date of approval unless building permits have been obtained for construction and a building foundation established within six (6) months of the building permit issuance date. Extensions may be granted upon written request by the applicant to the Planning Director, forty-five (45) days prior to lapse of approval, and extension of all bond and surety agreement. A six (6) month extension may be granted at the discretion of the Planning Director. Further extensions shall require Town Council approval.
- J. No permit shall be issued by any administrative officer or agent of Warrenton for the construction of any building or improvement requiring a permit in any area covered by the site development plan except to the provisions of this Article and the duly approved site development plan.
- K. The Town and State agencies responsible for the supervision and enforcement of this Article shall periodically inspect the site during the period of construction.
- L. Upon compliance with the terms of this Article and the satisfactory completion of construction, as determined by an on-site inspection by Town staff, the Planning Director for the Town of Warrenton shall furnish a certificate of approval. Certificates of approval, upon ratification by the Governing Body, shall release all of the bonds which may have been furnished.

- M. Any requirement of this Article may be waived by the Town Council where the applicant establishes that an undue hardship would be created by the strict enforcement of this Article, providing such a waiver, as requested, shall not be adverse to the purpose of this Article.
- N. No change, revision, or erasure shall be made on any pending or final site development plan nor on any accompanying data sheet where approval has been endorsed on the plat or sheets unless authorization for such changes is granted in writing by the approving body or the Planning Director.
- O. Any approved site development plan may be revised, provided request for revision shall be filed and processed in the same manner as the original site development plan. Approval, modifications and approval, or disapproval of revisions to a site development plan shall occur within sixty (60) days of filing all required revision documents. Required revisions or reasons for disapproval will be provided in writing and addressed to the owner, or their designated agent, as identified on the site plan documents.
- P. The fee for processing a site development plan, and revisions to an approved site plan, shall be as prescribed by Town Council by resolution.

27-7 Required Bonds and Surety

- A. All site and subdivision plans must be accompanied, at the time of submission, by a detailed estimate of the costs for installation of on-site and off-site improvements intended or designed to be dedicated for public use, and maintained by the Town of Warrenton, the Commonwealth, or other public agency, when such improvements are to be financed in whole or in part by private funds, including:
 - 1. the acceptance of dedication for public use of any right-of-way located within any subdivision or section thereof, which has constructed or proposed to be constructed within the subdivision or section thereof, any street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system, or other improvement dedicated for public use; and

2. site-related improvements required by this Ordinance for vehicular ingress and egress, for public access streets, including traffic signalization and control, for structures necessary to ensure stability of critical slopes, and for storm water management facilities.
- B. The estimated cost of construction shall be based on unit prices for new public or private sector construction in the Warrenton region, and a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities, which shall not exceed twenty-five percent of the estimated construction costs. An estimated time frame for phasing and completion of all improvements will be submitted for review and approval by the Director of Planning and Community Development.
 - C. Cost estimates will be reviewed and approved, approved with revisions, or disapproved by the Director of Planning and Community Development with notice provided in writing and addressed to the owner, or their designated agent, as identified on the site plan documents.
 - D. Upon approval of the aforesaid cost estimates, the owner or developer shall (i) certify to the Council that the construction costs have been paid to the person constructing such facilities; (ii) furnish to the Council a certified check or cash escrow in the amount of the estimated costs of construction or a personal, corporate or property bond, with surety satisfactory to Director of Planning and Community Development in an amount sufficient for and conditioned upon the construction of such facilities, or a contract for the construction of such facilities and the contractor's bond, with like surety, in like amount and so conditioned; or (iii) furnish to the Council a bank or savings institution's letter of credit on certain designated funds satisfactory to Director of Planning and Community Development as to the bank or savings institution, the amount and the form. The amount of such certified check, cash escrow, bond, or letter of credit shall not exceed the total of the estimated costs and an administrative fee as provided herein. All instruments effecting the bonding of a project shall be in a form

satisfactory to the Town of Warrenton, and approved by the Town Attorney.

- E. The Town shall grant periodic partial releases of any bond, escrow, letter of credit, or other performance guarantee required for the completion of improvements which are to be bonded, under the following provisions:
 - 1. Upon written request by the subdivider or developer, the Council shall make periodic partial releases of such bond, escrow, letter of credit, or other performance guarantee in a cumulative amount equal to no less than ninety percent of the original amount for which the bond, escrow, letter of credit, or other performance guarantee was taken, and may make partial releases of such lower amounts as may be authorized by the Council based upon the percentage of facilities completed and approved by the Council, or the state agency having jurisdiction. Periodic partial releases may not occur before the completion of at least thirty percent of the facilities covered by any bond, escrow, letter of credit, or other performance guarantee.
 - 2. The Director of Planning and Community Development shall not be required to execute more than three periodic partial releases in any twelve-month period. Upon final completion and acceptance of said facilities, the Director of Planning and Community Development shall release any remaining bond, escrow, letter of credit, or other performance guarantee to the subdivider or developer, provided that the Director may require a maintenance bond in an amount determined reasonable by the Director not to exceed fifteen per cent (15%) of the originally posted bond amount, as a maintenance bond to ensure all facilities were constructed properly. For the purpose of final release, the term "acceptance" is deemed to mean: when said public facility is accepted by and taken over for operation and maintenance by the state agency, local government department or agency, or other public authority which is responsible for maintaining and for operating such facility upon acceptance.

3. Releases shall be made within thirty days after receipt of written notice by the subdivider or developer of completion of part or all of any facilities required to be constructed hereunder, unless the Director of Planning and Community Development notifies said subdivider or developer in writing of nonreceipt of approval by applicable state agency, or of any specified defects or deficiencies in construction and suggested corrective measures prior to the expiration of the thirty-day period.
4. If no such action is taken by Director of Planning and Community Development within the time specified above, the request shall be deemed approved, and a partial release granted to the subdivider or developer. No final release shall be granted until after expiration of such thirty-day period and there is an additional request in writing sent by certified mail return receipt to Town Manager. The Town Manager or the Director of Planning and Community Development shall act within ten working days of receipt of the request; then if no action is taken, the request shall be deemed approved and final release granted to the subdivider or developer.
5. After receipt of the written notices required above, if the Director of Planning and Community Development takes no action within the times specified above and the subdivider or developer files suit in the local circuit court to obtain partial or final release of a bond, escrow, letter of credit, or other performance guarantee, as the case may be, the circuit court, upon finding the governing body or its administrative agency was without good cause in failing to act, shall award such subdivider or developer his reasonable costs and attorneys' fees.
6. Neither the Council nor any administrative officer of the Town shall refuse to make a periodic partial or final release of a bond, escrow, letter of credit, or other performance guarantee for any reason not directly related to the specified defects or deficiencies in construction of the facilities covered by said bond, escrow, letter of credit or other performance guarantee.

7. For the purposes of this ordinance, a certificate of partial or final completion of such facilities from either a duly licensed professional engineer or land surveyor, as defined in and limited to Va. Code Ann. § 54.1-400, or from a department or agency designated by the Council, may be accepted without requiring further inspection of such facilities.

(Adopted by Town Council 1/13/98)

27-8 As-Built Site Plans Required

A. Upon completion of all required improvements shown on the approved site development plan, the owner or applicant shall submit to the Planning Director for the Town of Warrenton a vellum or sepia transparency plus three (3) copies of the completed as-built site plan, or building location plat certified by an engineer, architect, or surveyor. The "as-built site plan" shall be submitted within a year of issuance of occupancy permits for the review and approval by the Public Utilities Director and Planning Director for conformity with the approved site plan and the ordinances and regulations of the Town of Warrenton and state agencies. Final approval of as-built plans shall be required before the final release of applicable bonds. (Adopted by Town Council 6/14/94)